IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

UNITED STATES OF AMERICA, Plaintiff,))))
V.	No. 2:02-cr-20165-BBD-tmp
ALVIN IRWIN MOSS, et al.,))
Defendants.))

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court are four motions or renewed motions to dissolve a restraining order filed on behalf of Petitioners Fidelity Pacific Life Insurance Company Limited, Vanuatu Maritime Services Limited, European Bank Limited, Pacific Capital Growth Funds Limited, Pacific International Trust Company Limited, and Warren and Denyse Castray. (D.E. ##801, 808, 850, & 852). The Petitioners all claim an interest in assets that have been restrained as part of the ongoing criminal case against the defendants. The Court referred these motions to the Magistrate Judge for a report and recommendation, and on June 27, 2011, the Magistrate Judge filed a report (D.E. #869) recommending the motions be granted and the restraining order dissolved for the assets at issue in the motions. On July 11, 2011, the Government filed objections to the Report and Recommendation. (D.E. #870). Thereafter, the Petitioners filed responses to the Government's objections. (D.E. ##871 & 873).

Upon due consideration of the Report and Recommendation, the Government's objections, and the Petitioners' responses, the Court **ADOPTS** the Magistrate Judge's findings of fact and conclusions of law and denies the Government's objections. Accordingly, the

Petitioners' motions are **GRANTED**. The Second Amended Post-Indictment Restraining Order [D.E. #117] is dissolved as to all accounts in the name of Fidelity Pacific Life Insurance Company Limited, Vanuatu Maritime Services Limited, European Bank Limited, Pacific Capital Growth Funds Limited, Pacific International Trust Company Limited, and Warren and/or Denyse Castray.

IT IS SO ORDERED this 4th day of October, 2011.

s/ Bernice Bouie Donald
BERNICE BOUIE DONALD
UNITED STATES DISTRICT COURT JUDGE